

# **Exhibit AG**

<p>Page 1</p> <p>1 NO. 21-CI-06290 JEFFERSON CIRCUIT COURT DIVISION FOUR (4) JUDGE JULIE KAE LIN</p> <p>2</p> <p>3</p> <p>4</p> <p>5 MATTHEW STRECK, Individually, et al. PLAINTIFFS</p> <p>6</p> <p>7</p> <p>8 V. VIDEO DEPOSITION FOR THE DEFENDANTS</p> <p>9</p> <p>10</p> <p>11 JOHNSON AND JOHNSON, et al. DEFENDANTS</p> <p>12</p> <p>13 * * *</p> <p>14</p> <p>15 DEPONENT: WILLIAM E. LONGO, Ph.D.</p> <p>16 DATE: MAY 16, 2023</p> <p>17</p> <p>18 * * *</p> <p>19</p> <p>20</p> <p>21 ELLEN L. COULTER REGISTERED PROFESSIONAL REPORTER COULTER REPORTING, LLC 101 East Kentucky Street Suite 200 Louisville, Kentucky 40203 (502) 582-1627 FAX: (502) 587-6299 E-MAIL: Ecoulter@coulterreporting.com</p> <p>25</p>	<p>Page 3</p> <p>1 EXHIBITS (continued):</p> <p>2 Deposition Exhibit No. 9 ..... 126 (RJ Lee J&amp;J Historical Baby Powder Analysis, Dr. Sanchez)</p> <p>3</p> <p>4 Deposition Exhibit No. 10 ..... 139 (March 9, 2023 letter to Joseph Satterley and Ian Rivamonte, from Julia E. Romano)</p> <p>5</p> <p>6 Deposition Exhibit No. 11 ..... 140 (March 15, 2023 email to Julia Romano and others, from Joseph D. Satterley)</p> <p>7</p> <p>8 Deposition Exhibit No. 12 ..... 146 (March 21, 2023 email to Julia Romano and others, from Joseph D. Satterley)</p> <p>9</p> <p>10 Deposition Exhibit No. 13 ..... 147 (March 23rd, 2023 status conference, Valadez v. Johnson &amp; Johnson)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>Page 2</p> <p>1 INDEX</p> <p>2</p> <p>3 Examination by Mr. Williams ..... 7</p> <p>4 Examination by Ms. Browning ..... 77</p> <p>5 Examination by Mr. Vives ..... 78</p> <p>6 Examination by Mr. Smith ..... 150</p> <p>7 Reporter's Certificate ..... 152</p> <p>8</p> <p>9 EXHIBITS</p> <p>10</p> <p>11 Deposition Exhibit No. 1 ..... 12 (January 19, 2023 letter to William E. Longo, Ph.D., from Joseph D. Satterley)</p> <p>12</p> <p>13 Deposition Exhibit No. 2 ..... 20 (Plaintiffs' Expert Witness Disclosure)</p> <p>14</p> <p>15 Deposition Exhibit No. 3 ..... 30 (Declaration of William Longo, Ph.D., Gina Anderson v. Avon Products, Inc.)</p> <p>16</p> <p>17 Deposition Exhibit No. 4 ..... 44 (Exhibit R, MAS Chart of Gold Bond Testing, June 23, 2022)</p> <p>18</p> <p>19 Deposition Exhibit No. 5 ..... 68 (Matthew Streck depo notes)</p> <p>20</p> <p>21 Deposition Exhibit No. 6 ..... 84 (Matthew Streck deposition, Volume II, dated March 9, 2022)</p> <p>22</p> <p>23 Deposition Exhibit No. 7 ..... 102 (Dr. Longo's report in the Valadez case, dated February 28, 2023)</p> <p>24</p> <p>25 Deposition Exhibit No. 8 ..... 110 (EPA Test Method, Method for the Determination of Asbestos in Bulk Building Materials, July 1993)</p>	<p>Page 4</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 FOR THE PLAINTIFFS:</p> <p>4 PAUL J. KELLEY - Via Video Satterley &amp; Kelley, PLLC 8700 Westport Road, Suite 202 Louisville, Kentucky 40242 pkelley@satterleylaw.com</p> <p>5</p> <p>6</p> <p>7 FOR THE DEFENDANT, CHATTEM, INC.:</p> <p>8 JAMES T. WILLIAMS - Via Video Miller &amp; Martin Volunteer Building, Suite 1200 832 Georgia Avenue Chattanooga, Tennessee 37402 james.williams@millermartin.com</p> <p>9</p> <p>10</p> <p>11</p> <p>12 FOR THE DEFENDANT, JOHNSON &amp; JOHNSON:</p> <p>13 MICHAEL VIVES - Via Video King &amp; Spalding, LLP 1185 Avenue of the Americas, 34th Floor New York, New York 10036 mvives@kslaw.com</p> <p>14</p> <p>15</p> <p>16</p> <p>17 FOR THE DEFENDANT, THE KROGER COMPANY:</p> <p>18 TRAVIS R. SMITH - Via Video Dinsmore &amp; Shohl, LLP 211 N. Pennsylvania Street One Indiana Square, Suite 1800 Indianapolis, Indiana 46204 travis.smith@dinsmore.com</p> <p>19</p> <p>20</p> <p>21</p> <p>22 FOR THE DEFENDANT, BARRETTS MINERALS, INC.:</p> <p>23 CAROL DAN BROWNING - Via Video Stites &amp; Harbison, PLLC 400 West Market Street, Suite 1800 Louisville, Kentucky 40202 cbrowning@stites.com</p> <p>24</p> <p>25</p>

<p>Page 133</p> <p>1 could -- could produce all the PLM slides he did in  2 litigation since 2016 or whenever he started.</p> <p>3 <b>Q. Well, so it sounds like with respect</b>  4 <b>to -- it sounds like you're aware that there was a</b>  5 <b>request made for your PLM slides in the Valadez case?</b></p> <p>6 A. Yes, I'm aware of it. I went to go  7 look for them after I got around to it, and what I  8 didn't do is tell anybody here to make sure to keep  9 them --</p> <p>10 <b>Q. All right.</b></p> <p>11 A. -- because I get sidetracked pretty  12 easily at times.</p> <p>13 <b>Q. And do you recall when you went around</b>  14 <b>to look for them?</b></p> <p>15 A. I think it was about two weeks  16 afterwards, something like that.</p> <p>17 <b>Q. And when you went to look for them</b>  18 <b>they were -- they had been destroyed?</b></p> <p>19 A. They weren't there.</p> <p>20 <b>Q. Okay. So they weren't -- it wasn't</b>  21 <b>that they were degraded. It's that they had been</b>  22 <b>destroyed.</b></p> <p>23 A. They don't last. I mean, you can't go  24 back a week or two weeks afterwards and look -- be  25 able to find the same structures because it starts</p>	<p>Page 135</p> <p>1 oil starts to evaporate, so it's usually, you know,  2 one to two weeks. Sometimes, you know, if I've  3 looked at the report and stuff or it's out, there's  4 no need to keep it. You know, to go back and find  5 that exact one bundle, sometimes it would be tough.  6 I don't think anybody keeps them.</p> <p>7 <b>Q. Right. And is it your view that -- so</b>  8 <b>after one to two weeks if the oil evaporates the</b>  9 <b>slides are unusable?</b></p> <p>10 A. I don't know if they're absolutely  11 unusable, but to go back to the same structures, it  12 may not be possible. So it's just -- nobody keeps  13 them.</p> <p>14 <b>Q. Have you ever tried to analyze or</b>  15 <b>relook at a PLM slide two weeks after it was prepared</b>  16 <b>to see whether you can see anything?</b></p> <p>17 A. No. I'm not going to take the time to  18 go and start doing an experiment because somebody --  19 they wanted to come here and analyze a sample.</p> <p>20 I'd be perfectly happy to have, you  21 know, Dr. Sanchez -- well, his PLM person come here,  22 watch us make the sample. We can go and look for it  23 and say here's the structure, go ahead and look at  24 it. What is the difference? Probably better that  25 way.</p>
<p>Page 134</p> <p>1 crystallizing.</p> <p>2 <b>Q. Right, but --</b></p> <p>3 A. This is not like TEM grids where you  4 have to go through a whole thing and you can pull  5 them out and -- which we've done. PLM -- you can't  6 ship a PLM slide, and you can always make it again.</p> <p>7 <b>Q. Okay. But I just want to make sure</b>  8 <b>we're clear because I think first you testified that</b>  9 <b>when you went to look for them you couldn't find</b>  10 <b>them. Is that --</b></p> <p>11 A. If they're not there, it's hard to  12 find them.</p> <p>13 <b>Q. Right. Okay.</b></p> <p>14 A. So they're not here. And they were --  15 they were just -- they were thrown out.</p> <p>16 <b>Q. Okay. And do you have any idea when</b>  17 <b>they were thrown out?</b></p> <p>18 A. I don't know within the date -- when  19 it was actually thrown out or not. It was thrown  20 out, but I don't know the date.</p> <p>21 <b>Q. Okay. We may look at a few things on</b>  22 <b>this, but I think you just said -- well, I guess let</b>  23 <b>me just ask. What is your view on how long it takes</b>  24 <b>PLM slides to degrade?</b></p> <p>25 A. Well, they start crystallizing and the</p>	<p>Page 136</p> <p>1 <b>Q. Okay. But not Dr. Sanchez? His PLM</b>  2 <b>person?</b></p> <p>3 A. He doesn't -- he never analyzes them.  4 You know, and he accused me of committing a felony,  5 so I have a problem with him coming in my lab, you  6 know, that I'm lying under oath all the time.</p> <p>7 He would come here, but he's going to  8 have somebody else do the PLM analysis. I think we  9 offered that as a compromise, but that's what, you  10 know -- I would just say Dr. Sanchez can go ahead and  11 write the report that we misidentified it. He can do  12 that. He doesn't have to come here and analyze it.</p> <p>13 <b>Q. Are you aware of any peer-reviewed</b>  14 <b>literature that states that PLM --</b></p> <p>15 A. I can't hear you.</p> <p>16 <b>Q. Sorry. I've got this new microphone</b>  17 <b>that's been causing all sorts of problems. Are you</b>  18 <b>-- I like yours a lot better.</b></p> <p>19 <b>Are you aware of any peer-reviewed</b>  20 <b>literature that states that PLM slides degrade after</b>  21 <b>one to two weeks?</b></p> <p>22 A. You know, it's hard for me to chase  23 down every time somebody comes up with something that  24 they want to know or there's some literature. I  25 don't know.</p>

<p>Page 149</p> <p>1 A. The slides were gone. And by that 2 time probably -- I don't know -- I just don't recall 3 ever telling Mr. Satterley that. 4 <b>Q. Okay. Okay. That's fine. So all you 5 recall telling him is that the slides were gone.</b> 6 A. They were not -- they were not kept. 7 <b>Q. And you don't recall when you would 8 have told him that. Presumably, it was after that 9 March 15th email we looked at?</b> 10 A. Yeah, they -- I did not -- they were 11 not here. 12 MR. VIVES: Okay. All right. Let me 13 just take two minutes and just see if I have anything 14 else. I think that may be it for me. 15 THE WITNESS: Okay. Is anybody else 16 going to ask questions? 17 MR. SMITH: I'll be very brief. 18 Should I go during the two minutes while you look at 19 your notes, Michael? 20 MR. VIVES: Sure. Go ahead. 21 MR. SMITH: At least I think I'll be 22 very brief. 23 24 25</p>	<p>Page 151</p> <p>1 <b>Powder or Gold Bond talcum powders that may have been 2 purchased from Kroger as opposed to another store?</b> 3 A. That's correct, I have not. 4 MR. SMITH: Okay. I think that's all 5 I have. Thank you. 6 THE WITNESS: Thank you. 7 MR. VIVES: All right. No further 8 questions for me either, Dr. Longo. 9 THE WITNESS: Thank you, sir. 10 MR. KELLEY: Any other questions? 11 MS. BROWNING: None from me. 12 MR. WILLIAMS: None for Chattem. 13 MR. KELLEY: All right. I think we 14 can close the record. 15 THE MODERATOR: We are off the record 16 at 4:03 p.m. 17 18 (DEPOSITION CONCLUDED AT 4:03 P.M.) 19 * * * 20 21 22 23 24 25</p>
<p>Page 150</p> <p>1 EXAMINATION 2 3 BY MR. SMITH: 4 <b>Q. Dr. Longo, my name is Travis Smith. 5 Can you hear me okay?</b> 6 A. Yes, sir, I can. 7 <b>Q. I represent Kroger. Have you reviewed 8 any documents of Kroger as it relates to this case, 9 this Streck case, or cosmetic talc products 10 generally?</b> 11 A. No. 12 <b>Q. And I didn't see Kroger mentioned in 13 your notes and calculations page that we marked as 14 Exhibit 5. Have you formed any opinions in this case 15 specifically as to Kroger?</b> 16 A. No, I don't have any opinions about 17 Kroger, you know, who knew what when, should they 18 have known, not known, hazard, dangers of asbestos. 19 It's immaterial to me where the product was bought. 20 My only opinion is about what's in the product. It 21 could have came from Kroger or any other grocery 22 store. 23 <b>Q. And you haven't done any 24 quantification or calculated any cumulative dose for 25 Mr. Streck with respect to either Johnson's Baby</b></p>	<p>Page 152</p> <p>1 STATE OF KENTUCKY )(  ( SS:  2 COUNTY OF JEFFERSON )(  3 4 I, ELLEN L. COULTER, Notary Public, 5 State of Kentucky at Large, hereby certify that the 6 foregoing deposition was taken at the time and place 7 stated in the caption; that the appearances were as 8 set forth in the caption; that prior to giving 9 testimony the witness was first duly sworn by me; 10 that said testimony was taken down by me in 11 stenographic notes and thereafter reduced under my 12 supervision to the foregoing typewritten pages and 13 that said typewritten transcript is a true, accurate 14 and complete record of my stenographic notes so 15 taken. 16 I further certify that I am not 17 related by blood or marriage to any of the parties 18 hereto and that I have no interest in the outcome of 19 captioned case. 20 Given under my hand this the 21 day of , , at 22 Louisville, Kentucky. 23 My commission as Notary Public expires 24 November 5, 2023. 25  ELLEN L. COULTER NOTARY PUBLIC Notary I.D. 634549</p>